

EXECUTIVE CHAMBERS

HONOLULU

July 8, 2008

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2434

Honorable Members  
Twenty-Fourth Legislature  
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2434, entitled "A Bill for an Act Relating to the Stadium Authority."

The stated purpose of this bill is to increase the membership of the Stadium Authority from nine to eleven members, but there are already eleven members on the Authority. The bill changes the appointment process by requiring that three members be appointed directly by the Governor, three from a list of nominees submitted by the President of the Senate, and three from a list of nominees submitted by the Speaker of the House of Representatives. The legislative leaders would designate nominees for the next six vacancies (alternating between the President of the Senate and the Speaker of the House). The Governor would not be able to select members until the year 2010.

This bill is objectionable because it unduly restricts the Governor's power to appoint executive officials and to ensure thereby that the laws are faithfully executed. The bill fails to provide a justification or rationale for amending the current nomination process. The nominees to the Stadium Authority are subject to advice and consent, thus, the Legislature already has the ability to determine if a nominee is not satisfactory.

The bill also fails to specify (1) how vacancies would be filled after the first nine; (2) whether it would apply when a

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member leaves office before serving a full term and, if so, how a successor would be nominated. Further, the bill fails to establish a minimum number of candidates that must be included on lists of potential nominees submitted by the Legislature.

For the foregoing reasons, I am returning Senate Bill No. 2434 without my approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Linda Lingle", written in a cursive style.

LINDA LINGLE  
Governor of Hawaii